



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

STATE PLUMBING BOARD
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES
Conference Room No. 3
2501 Woodlake Circle
Okemos, Michigan 48864

AGENDA

October 22, 2008
10:00 a.m.

1. Call to Order and Determination of Quorum D. Branch
2. Approval of Minutes – September 23, 2008
Approval of Journey Plumber Examination Minutes – September 24, 2008
Approval of Master Plumber Examination Minutes – September 24, 2008
Approval of Plumbing Contractor Examination Minutes – September 17, 2008
3. Applicants Appearing Before the Board
4. Construction Code Appeals Request
 - A. Fanning Howey – Bellevue High School 10:20
CCC-PLBG-08-018
 - B. Design Plus, Inc. – Lakewood High School 10:40
CCC-PLBG-08-019
5. New Products R. Konyndyk
 - A. Schier Products Company – GB-75 and GB-250, Great Basin Grease Interceptor Series.
6. Chief's Report R. Konyndyk

The meeting site and parking is accessible. Individuals attending the meeting are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone. People with disabilities requiring additional services in order to participate in the meeting should call Michele Ramsey at (517) 241-9330 at least 10 work days before the event. DLEG is an equal opportunity employer/program.

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7. Legislative Update R. Konyndyk
8. Plumbing Inspector Registration (0) R. Konyndyk
9. Old Business
10. New Business
 - A. Settlement Agreements R. Konyndyk
 1. Peter G. Malliaras R. Konyndyk
 2. Michael R. Ballard R. Konyndyk
 - B. Tom Sullivan Correspondence R. Konyndyk
 - C. Licensing Law Update Information R. Konyndyk
11. Public Comment
12. Next Meeting – December 16, 2008
13. Adjournment



JENNIFER M. GRANHOLM
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BUREAU OF CONSTRUCTION CODES
Conference Room No. 3
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Okemos, Michigan 48864

MINUTES

September 23, 2008

10:00 a.m.

MEMBERS PRESENT

Mr. Duane Branch, Chairperson
Mr. Richard Gaber
Mr. Brock Howard
Mr. David Jones
Mr. Robert Whipple

MEMBERS ABSENT

Vacant Position
Mr. Michael Gaber

MICHIGAN DEPARTMENT OF LABOR & ECONOMIC GROWTH PERSONNEL
ATTENDING

Mr. Andy B. Neuman, Assistant Chief, Plumbing Division
Mrs. Michele K. Ramsey, Plumbing Division
Mr. Irvin J. Poke, Director
Ms. Beth Aben, Deputy Director
Mr. Joe Madziar, Senior Plumbing Inspector
Ms. Dianne Barmes, Department Analyst

OTHERS IN ATTENDANCE

Ms. Cindy Maher, MPMCA
Mr. Walt Maner, MPMCA
Mr. Emmett Kelley, Lansing Plumbing Board
Mr. David Wilkins, GMB Architects – Engineers
Mr. Tim Wood, Superintendent, Saugatuck High School
Mr. Kevin Hoezer, Tower Pinkster
Mr. Martin Harris, Olivet Community Schools

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1. CALL TO ORDER AND DETERMINATION OF QUORUM

Chairperson Branch called the meeting to order at 10:00 a.m. A quorum was present at that time.

Mr. Branch introduced Mr. Irvin Poke as our new Director for the Bureau of Construction Codes, effective September 8, 2008.

2. APPROVAL OF MINUTES

A **MOTION** was made by Board Member R. Gaber and supported by Board Member Howard to approve the board minutes from the July 16, 2008 meeting. **MOTION CARRIED.**

3. APPROVAL OF JOURNEY PLUMBER, MASTER PLUMBER AND PLUMBING CONTRACTOR EXAMINATION RESULTS

A **MOTION** was made by Board Member R. Gaber and supported by Board Member Howard to approve the results of the Journey, Master, and Plumbing Contractor Examination held on July 17, 2008. **MOTION CARRIED.**

4. ELECTION OF OFFICERS

A **MOTION** was made by Board Member Branch and supported by Board Member R. Gaber to nominate Dave Jones as Vice Chairperson. **MOTION CARRIED UNANIMOUSLY.**

5. APPLICANTS APPEARING BEFORE THE BOARD

Mr. Robert Dedvukaj, Master Applicant, appeared before the board requesting permission to take the Master Plumber Examination. Mr. Dedvukaj provided documentation verifying his out-of-state license was obtained through substantially the same requirements as the State of Michigan.

After a discussion with Mr. Dedvukaj regarding his qualifications to take the Master Plumber Examination, a **MOTION** was made by Board Member R. Gaber and supported by Board Member Howard to allow Mr. Dedvukaj to take the Master Plumber Examination. **MOTION CARRIED.**

Mr. Edward D. Rupp, Master Applicant, appeared before the board requesting permission to take the Master Plumber Examination. Mr. Rupp provided documentation verifying his out-of-state license was obtained through substantially the same requirements as the State of Michigan.

After a discussion with Mr. Rupp regarding his qualifications to take the Master Plumber Examination, a **MOTION** was made by Board Member R. Gaber and supported by Board Member Howard to allow Mr. Rupp to take the Master Plumber Examination. **MOTION CARRIED.**

Mr. Howard A. Ehresman, Journey Applicant, appeared before the board requesting permission to take the Journey Plumber Examination. Mr. Ehresman provided documentation verifying his out-of-state license was obtained through substantially the same requirements as the State of Michigan.

After a discussion with Mr. Ehresman regarding his qualifications to take the Journey Plumber Examination, a **MOTION** was made by Board Member Jones and supported by Board Member Howard to allow Mr. Ehresman to take the Journey Plumber Examination. **MOTION CARRIED.**

6. GOOD MORAL CHARACTER APPEALS

Mr. Matthew J. Dimarco, Journey Applicant, requested to appear before the board following a Notice of Denial for Journey Plumber Examination.

Following a review and discussion with Mr. Dimarco, a **MOTION** was made by Board Member Jones and supported by Board Member R. Gaber to hold Mr. Dimarco's application to take the Journey Plumber Examination until after his probation period has been completed. Once Mr. Dimarco's probation period is completed he may re-apply and take the Journey Plumber Examination. **MOTION CARRIED.**

Mr. Harry W. Smith Jr., Apprentice Applicant, requested to appear before the board following a Notice of Denial for Apprentice Registration.

Following a review and discussion with Mr. Smith, a **MOTION** was made by Board Member R. Gaber and supported by Board Member Whipple to approve Mr. Smith to register as an apprentice. **MOTION CARRIED.**

7. CONSTRUCTION CODE APPEALS REQUEST (*Nov. 5, 2008 CCC Meeting)

GMB Architects – Saugatuck H. S. New Stadium - CCC-PLBG-08-015

Mr. David Wilkins from GMB Architects and Mr. Tim Wood the Superintendent for Saugatuck Schools presented the board a construction code appeal request for Saugatuck High School to allow the use of reduced number of plumbing fixtures at the new field and use fixtures which are located in the existing High School Building Lobby.

Following a review and discussion, a **MOTION** was made by Board Member Howard and supported by Board Member Jones to approve the appeal request for GMB Architects Saugatuck High School New Stadium with the following conditions: signs shall be posted to direct attendees to the additional available restrooms which will be verified to the board by photographs. Further, a letter following a year of operation shall be provided providing an operational update. **MOTION CARRIED.**

Tower Pinkster Titus Associates Inc. – All Sport Stadium - CCC-PLBG-08-016

Mr. Kevin J. Hoezee from Tower Pinkster Titus Associates Inc. and Mr. Matthew Miller from Olivet Community Schools, presented the board a construction code appeal request for Olivet Community Schools to allow the use of reduced number of required plumbing fixtures at the new concession restroom structure for the All Sports Stadium. The balance of the fixtures are located in the adjoining building in two different locations.

Following a review and discussion, a **MOTION** was made by Board Member Jones and supported by Board Member R. Gaber to approve the appeal request for Tower Pinkster Titus Associations Inc., Olivet Community Schools, with the following conditions: signs shall be posted to direct attendees to the additional available restrooms which will be verified to the board by photographs. Further, a letter following a year of operation shall be provided providing an operational update. **MOTION CARRIED.**

Kingscott Assoc. Inc. – Parchment H. S. Bleacher Project - CCC-PLBG-08-017

Mr. John Armstrong from Kingscott Associates Inc. and Mr. Matthew Miller from Parchment Community Schools presented the board a construction code appeal request for Parchment High School to allow the use of existing plumbing fixtures at the concession restroom structure and utilize the balance of the required fixtures located in the adjoining building in two different locations. It is noted that the male and female restroom fixtures requested in the consideration are locker room facilities.

Following a review and discussion, a **MOTION** was made by Board Member Jones and supported by Board Member R. Gaber to approve the appeal request for Kingscott Assoc. Inc., Parchment High School Bleacher project, with the following conditions: A letter from the school authorities stating the alternate restrooms will be available for events. The doors shall be open to the PE locker room, and signs shall be posted to direct attendees to the additional available restrooms which will be verified to the board by photographs. Updated drawings shall be mailed to Mr. Robert Konyndyk for his approval. The board has asked Mr. Konyndyk to review the drawings and if he is satisfied then the notice of approval will be processed. Further, a letter following a year of operation shall be provided providing an operational update. **MOTION CARRIED.**

8. PRODUCT APPROVAL

Penner Manufacturing Inc. – Cascade Bath Systems BCCP-08-010

Mr. Konyndyk presented the board a product approval request from Penner Manufacturing Inc. for Penner Patient Care, Cascade Bath Systems, Premier, Model 360020-1P.

A **MOTION** was made by Board Member Jones and supported by Board Member R. Gaber to forward the product to the Commission for approval. **MOTION CARRIED.**

9. CHIEF'S REPORT

None

10. LEGISLATIVE UPDATE

None

11. PLUMBING INSPECTOR REGISTRATION (0)

None

12. OLD BUSINESS

None

13. NEW BUSINESS

None

14. PUBLIC COMMENT

There were no public comments.

15. NEXT MEETING

October 22, 2008

16. ADJOURNMENT

Chairperson Branch adjourned the meeting at 12:45 p.m.

Approved: _____ Date: _____



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 8, 2008

TO: Members of the State Plumbing Board
FROM: Robert G. Konyndyk, Chief, Plumbing Division *RMC*
SUBJECT: Construction Code Appeal Request for Bellevue High Middle School

APPLICANT REPRESENTATIVE:

Mr. John L. Davids
Fanning Howey
28001 Cabot Drive
Suite 110
Novi, Michigan 48377

PROJECT:

Bellevue High Middle School
576 Love Rd.
Bellevue, Michigan

AUTHORITY:

Section 15 of 1972 PA 230 being section 125.1515 of the Michigan Compiled Laws.

APPEAL REQUEST:

Allow the use of reduced number of required plumbing fixtures for the new stands and use fixtures in adjacent facilities based upon projected usage.

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October 8, 2008

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APPLICABLE CODE SECTION:

Table 403.1

ADDITIONAL FACTS:

The stands' occupancy load is 1,477 individuals which requires the following:

Male	10 WC	4 Lavs
Female	19 WC	5 Lavs

RECOMMENDATION:

Staff does not have a recommendation prior to evaluating the testimony of Mr. Davids. However, this office does have concerns that the applicant is attempting to use locker room fixtures which would not be available to individuals in the stands.

RGK/dmc



JENNIFER M. GRANHOLM
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STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 8, 2008

Mr. John L. Davids
Fanning Howey
28001 Cabot Drive
Suite 110
Novi, Michigan 48377

Dear Mr. Davids:

Attached is a Notice of Hearing regarding an appeal from the requirements of Section 403.1, of the Michigan Plumbing Code.

This hearing is in response to your request to appeal for relief from the requirements of the above referenced code section.

Please be prepared to address the board's concerns and provide any information, which will aid in their decision. Also, please be prepared to address the following questions:

1. What is the stage of construction for the stadium stands, Unit E, and Unit C.
2. It appears that areas of Unit C in the top right portion of the structure are designated for locker rooms which would not be available to the stands occupants. Is that correct?
3. Clarify if all areas of Units A, B, C, and E are open to visitor's passage rather than having security gates installed.
4. Provide architectural floor plans of all the units to clarify the various room purposes.

If you have any further questions prior to the meeting, please contact me at (517) 241-9330.

Sincerely,

Robert G. Konyndyk, Chief
Plumbing Division

RGK/dmc

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**MICHIGAN STATE PLUMBING BOARD
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

Appeal Docket No.
CCC-PLBG-08-018

Petitioner, Mr. John L. Davids, Fanning Howey, 28001 Cabot Drive, Suite 110, Novi, Michigan 48377, for Bellevue High Middle School, 576 Love Rd., Bellevue, Michigan.

vs

Respondent, Michigan Department of Labor and Economic Growth, Bureau of Construction Codes

NOTICE OF HEARING

Date: October 22, 2008
Time: 10:20 a.m.
Location: 2501 Woodlake Circle, Conference Room #3, Okemos, Michigan


Pursuant to the authority contained in Section 16 of 1972 PA 230, the Stille-DeRossett-Hale Single State Construction Code Act (MCLA 125.1516).

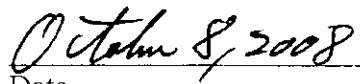
A Hearing will be held in response to the request of Mr. John L. Davids, Fanning Howey, 28001 Cabot Drive, Suite 110, Novi, Michigan 48377, for Bellevue High Middle School, 576 Love Rd., Bellevue, Michigan to appeal for relief from the requirements of Section 403.1 of the Michigan Plumbing Code.

Exhibits:

Exhibit A Copy of the application received from Mr. Davids dated September 15, 2008.

MICHIGAN STATE PLUMBING BOARD


Robert G. Konyndyk, Chief of Plumbing Division


Date

Appeal Docket No.
CCC-PLBG-08-018

NOTE

The parties shall be given an opportunity to present oral and written arguments on issues of law and policy and an opportunity to present evidence and arguments on issues of fact.

Parties are expected to be prepared to present all competent evidence on all disputed issues. If a necessary witness will not appear voluntarily at this hearing, parties are entitled to subpoenas compelling their attendance and subpoenas duces tecum for submission of documentary evidence. A request for same must be made with the Bureau at the above address, Attention: Chief of Plumbing Division.

All proceedings shall be conducted in accordance with procedures applicable to the trial of contested cases under 1969 PA 306, being the Administrative Procedures Act of 1969.

A CONSTRUCTION CODE APPEAL WILL BE GRANTED ONLY UPON A SHOWING OF GOOD CAUSE.



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 8, 2008

TO: Members of the State Plumbing Board
FROM: Robert G. Konyndyk, Chief, Plumbing Division *RML*
SUBJECT: Construction Code Appeal Request for Lakewood High School

APPLICANT REPRESENTATIVE:

Mr. Edward J. Talaga
Design Plus, Inc.
230 East Fulton Street
Grand Rapids, Michigan 49503-3211

PROJECT:

Lakewood High School
Lakewood Public Schools
Lake Odessa, Michigan

AUTHORITY:

Section 15 of 1972 PA 230 being section 125.1515 of the Michigan Compiled Laws.

APPEAL REQUEST:

Allow the use of plumbing fixture numbers based a non simultaneous use of the gymnasium and auditorium at the same time.

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October 8, 2008

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APPLICABLE CODE SECTION:

Table 403.1

ADDITIONAL FACTS:

Correspondence dated September 15, 2008 provides the occupancy numbers projected fixtures from the designer as well as the correspondence dated July 14, 2008 from the Bureau of Construction Codes.

RECOMMENDATION:

Staff does not have a recommendation prior to evaluating the testimony of Mr. Talaga.

RGK/dmc



JENNIFER M. GRANHOLM
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 8, 2008

Mr. Edward J. Talaga
Design Plus, Inc.
230 East Fulton Street
Grand Rapids, Michigan 49503-3211

Dear Mr. Talaga:

Attached is a Notice of Hearing regarding an appeal from the requirements of Section 403.1, of the Michigan Plumbing Code.

This hearing is in response to your request to appeal for relief from the requirements of the above referenced code section.

Please be prepared to address the board's concerns and provide any information, which will aid in their decision. Also, please be prepared to address the following questions:

1. What is the stage of construction for the addition?
2. Provide architectural floor plans of the structure to clarify the various room purposes.
3. You have not addressed the occupancy load of both gymnasiums which may have simultaneous use such as volleyball tournaments.
4. Please identify if security gates are provided in the existing structure which will not allow access to other existing restrooms.

If you have any further questions prior to the meeting, please contact me at (517) 241-9330.

Sincerely,

Robert G. Konyndyk, Chief
Plumbing Division

RGK/dmc

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**MICHIGAN STATE PLUMBING BOARD
BUREAU OF CONSTRUCTION CODES**

2501 Woodlake Circle
Okemos, Michigan 48864

Appeal Docket No.
CCC-PLBG-08-019

Petitioner, Mr. Edward J. Talaga, Design Plus, Inc., 230 East Fulton Street, Grand Rapids, Michigan 49503-3211, for Lakewood High School, Lakewood Public Schools, Lake Odessa, Michigan.

vs

Respondent, Michigan Department of Labor and Economic Growth, Bureau of Construction Codes

NOTICE OF HEARING

Date: October 22, 2008
Time: 10:40 a.m.
Location: 2501 Woodlake Circle, Conference Room #3, Okemos, Michigan

Pursuant to the authority contained in Section 16 of 1972 PA 230, the Stille-DeRossett-Hale Single State Construction Code Act (MCLA 125.1516).

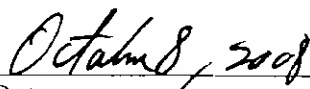
A Hearing will be held in response to the request of Mr. Edward J. Talaga, Design Plus Inc., 230 East Fulton Street, Grand Rapids, Michigan 49503-3211, for Lakewood High School, Lakewood Public Schools, Lake Odessa, Michigan to appeal for relief from the requirements of Section 403.1 of the Michigan Plumbing Code.

Exhibits:

Exhibit A Copy of the application received from Mr. Talaga dated September 15, 2008.

MICHIGAN STATE PLUMBING BOARD


Robert G. Konyndyk, Chief of Plumbing Division


Date

Appeal Docket No.
CCC-PLBG-08-019

NOTE

The parties shall be given an opportunity to present oral and written arguments on issues of law and policy and an opportunity to present evidence and arguments on issues of fact.

Parties are expected to be prepared to present all competent evidence on all disputed issues. If a necessary witness will not appear voluntarily at this hearing, parties are entitled to subpoenas compelling their attendance and subpoenas duces tecum for submission of documentary evidence. A request for same must be made with the Bureau at the above address, Attention: Chief of Plumbing Division.

All proceedings shall be conducted in accordance with procedures applicable to the trial of contested cases under 1969 PA 306, being the Administrative Procedures Act of 1969.

A CONSTRUCTION CODE APPEAL WILL BE GRANTED ONLY UPON A SHOWING OF GOOD CAUSE.



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STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 8, 2008

Mr. Charles M. Ismert
Schier Products Company
2500 S. 170th Street
New Berlin, WI 53151

Dear Mr. Ismert:

The Bureau of Construction Codes, Plumbing Division, has received your product approval application for the Schier Products, GB-75 and GB-250, Great Basin Grease Interceptor Series.

The State Plumbing Board will review your product at their scheduled board meeting beginning at 10:00 a.m., Wednesday, October 22, 2008. The address is 2501 Woodlake Circle, Okemos, MI, in Conference Room #3. These are public meetings should you desire to attend and present information related to your product. If approved by the board, your product will be referred to the Construction Code Commission for final approval.

Please provide the following information to assist in our evaluation:

1. Information on the units ability to provide a trap seal and the depth of the trap seal provided by the units, if applicable.

This information must be received for evaluation prior to the board meeting.

If you have any further questions, please contact me at 517/241-9330.

Sincerely,

Robert G. Konyndyk, Chief
Plumbing Division

RGK/dmc

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DEPARTMENT OF LABOR & ECONOMIC GROWTH
LANSING

KEITH W. COOLEY
DIRECTOR

October 8, 2008

TO: Members of the State Plumbing Board
FROM: Robert G. Konyndyk, Chief, Plumbing Division
SUBJECT: Product Approval Request for Schier Grease Interceptor

The applicant has requested product approval for the Schier Products, GB-75 and GB-250, Great Basin Grease Interceptor Series to provide product acceptance through approval clarification.

APPLICANT REPRESENTATIVE:

Mr. Charles M. Ismert

APPLICANT:

Mr. Charles M. Ismert
Schier Products Company
2500 S. 170th Street
New Berlin, WI 53151

AUTHORITY:

Section 21 of Act 230, 1972 being section 125.1521 of the Michigan Compiled Laws.

PRODUCT:

Grease Interceptors identified by the following model numbers:

GB-75 and GB-250, Great Basin Grease Interceptor Series

APPLICATION:

The grease interceptor is an engineered system for separating grease and oils from drain water flows. The separated grease and oils are trapped within the tank and are manually removed.

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Members of the State Plumbing Board
Page 2
October 8, 2008

APPLICABLE CODE SECTION:

Section P-1002.6 Grease interceptor requirements.

LABORATORY TEST:

NSF International Report dated February 21, 2008

#J-00052698 for the GB-75 and J-00048680 for the GB-250

IAPMO Report File 531719444 5/01/208

CONDITIONS OF USE AND INSTALLATION:

1. All requirements of the Michigan Plumbing Code shall be applicable.
2. Installed in accordance with manufacturer's installation instructions.

RECOMMENDATION:

Staff recommends that the product be forwarded to the commission for approval.

RGKdmc

**STATE OF MICHIGAN
DEPARTMENT OF LABOR & ECONOMIC GROWTH
BUREAU OF CONSTRUCTION CODES**

In the Matter of:

Peter G. Malliaras, d/b/a
American Plumbing & Heating Company, Inc.
17535 East 9 Mile Road
Eastpointe, Michigan 48021

BCC Complaint No. 07-0470-P

Master Plumber License No. 8108992
Plumbing Contractor License No. 8002007

(Respondent)

_____ /

Entered into
this 27 day of October, 2008
by the Bureau and the Respondents

SETTLEMENT AGREEMENT

The Michigan Department of Labor and Economic Growth (hereafter the Department), Bureau of Construction Codes (hereafter the Bureau), having described its concerns for the public's safety and welfare in its Statement of Intent to Commence Proceedings and Notice of Opportunity to Show Why Such Proceedings Should Not Be Commenced Pursuant to the State Plumbing Act of 2002, issued February 28, 2008 (hereafter the Statement of Intent), a copy of which is attached hereto and incorporated herein as an integral part of this Settlement Agreement, hereby agrees to resolve those concerns as follows:

WHEREAS, Respondent attended an informal compliance conference on March 27, 2008, but did not make a sufficient showing of compliance to the Bureau in connection with the violations alleged in the Statement of Intent; and

PETER G. MALLIARAS
SETTLEMENT AGREEMENT

WHEREAS, Respondent neither admits nor denies that the factual allegations contained in the Statement of Intent are true and correct; and

WHEREAS, Respondent neither admits nor denies that such facts would constitute violations of the acts, rules and codes cited in the Statement of Intent; and

WHEREAS, the Bureau's Plumbing Division and Respondent are desirous of settling this matter as hereafter set forth and agree to the entry of this Settlement Agreement; and

WHEREAS, Respondent waives his right to a hearing in this matter; and

WHEREAS, the Bureau finds this action necessary and appropriate in the public interest, for the protection of the public's health and general welfare, and consistent with the purposes and provisions of the acts, rules and codes cited in the Statement of Intent.

IT IS THEREFORE STIPULATED AND AGREED that no later than November 13, 2008, Respondent Malliaras will provide the Bureau with written confirmation from the Shelby Charter Township Building Department that all code violations related to Respondent's repair, replacement or alteration of the main building drain pipe of a restaurant located at 50055 Van Dyke Avenue in Shelby Charter Township in Macomb County on or about March 21, 2005, have been resolved and that the required final permit inspection approval has been formally issued by this local code enforcing agency.

IT IS FURTHER AGREED that failure to satisfy the conditions set forth above will result in the summary SUSPENSION of Respondents' master plumber and plumbing contractor licenses by the Plumbing Board without further administrative action until final permit inspection approval is obtained from Shelby Township.

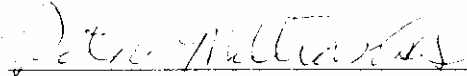
PETER G. MALLIARAS
SETTLEMENT AGREEMENT

IT IS FINALLY AGREED that a copy of this agreement will be presented to the Plumbing Board for final approval at their next regularly scheduled meeting. Once approved by the Plumbing Board, this Settlement Agreement will become a public document.

The parties have entered into this Settlement Agreement on the dates indicated below. It is further understood that this Settlement Agreement is a public document and is available to members of the public upon request.

ANY COMMUNICATION regarding this Settlement Agreement should be addressed to the Bureau of Construction Codes, Office of Local Government and Consumer Services. Attention: Gerrit Bakker, Department Analyst, P.O. Box 30254, Lansing, Michigan 48909.

MICHIGAN DEPARTMENT OF
LABOR AND ECONOMIC GROWTH

By: 
Peter G. Malliaras, Respondent, Individually; and as
Agent for American Heating & Plumbing Co., Inc.
Master Plumber License No. 8108992
Plumbing Contractor License No. 8002007

Dated: 9/18/08
Okemos, Michigan

By: 
Robert G. Konyndyk, Chief
Plumbing Division
Bureau of Construction Codes
(517) 241-9330

Dated: October 1, 2008
Okemos, Michigan

PETER G. MALLIARAS
SETTLEMENT AGREEMENT

By: Scott D. Fisher
Scott D. Fisher, Director
Office of Local Government & Consumer Services
Bureau of Construction Codes

Dated: 11/15/08
Okemos, Michigan

ACTION BY THE STATE PLUMBING BOARD

On _____, 2008, the State Plumbing Board met to review this matter and voted to APPROVE / REJECT / AMEND the settlement agreement as written.

By: _____
Duane E. Branch, Chair
State of Michigan State Plumbing Board
Bureau of Construction Codes

Dated: _____
Okemos, Michigan

Upon Approval of the State Plumbing Board

A Copy of this Settlement Agreement was sent by First Class Mail to:

K. Dino Kostopoulos, Esq.
Padilla-Kostopoulos
Attorney for Peter G. Malliaras
1821 W. Maple Road
Birmingham, MI 48009
dkostop@pk-legal.com

Harry Reese, Building Official
Shelby Township Building Official
52700 Van Dyke
Shelby Township, Michigan 48316-3572
building@shelbytp.org

A Copy of this Settlement Agreement was sent by Interdepartmental Mail to:

Plumbing Board
c/o Robert G. Konyndyk, Plumbing Division
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909

PETER G. MALLIARAS
SETTLEMENT AGREEMENT

Beth Aben, Deputy Director
Bureau of Construction Codes
P.O. Box 30254
Lansing, Michigan 48909



September 26, 2008

326 East Hoover
Ann Arbor, MI
48109-1002

Mr. Duane Branch
Michigan Department of Labor & Economic Growth
Bureau of Construction Codes/ Plumbing Division
P.O. Box 30255
Lansing, Michigan 48909

Dear Mr. Branch:

I am the Apprenticeship Coordinator for the University of Michigan's Skilled Trades Apprenticeship program, and am writing on behalf of three employees that all began work as apprentices on December 12, 2005. They are plumbing apprentice Michael Kinnard and steamfitter apprentices Aaron Pollock and Charles Shepard.

The University has contracted with the United Association Local 190 to provide the classroom training for our plumbing, steamfitting, and AC refrigeration apprentices through the local's Apprenticeship Training school. This week I learned from Michael Kinnard that he was not told of the requirement to complete a *Registration for Plumbing Apprentice* form when he entered the training program and had just learned of the requirement now. He indicated that Mr. Pollock and Mr. Shepard had told him that they had no prior knowledge of the requirement either.

Upon investigation, I learned from discussion with Mr. Scott Klapper, Training Coordinator for the UA Local 190, that new apprentices ordinarily are given the registration forms when they enroll in the school; however, these three apprentices did not receive the usual orientation because they started school mid-year. Hence, they were not told of the registration requirement.

They will of course complete the registration immediately. However, I would ask you to please consider recognizing the start date of their apprenticeships as December 12, 2005, so that they may take the licensing exam after accruing three years of on-the-job plumbing experience.

I would be happy to provide you with payroll records showing accumulated hours worked as apprentices since December 2005, and am sure that Mr. Klapper would also gladly provide a statement verifying when they were enrolled in the UA Apprentice Training program. I believe they should not be penalized for an oversight that was not their fault.

Should you have any questions or require any more information, I can be reached via email at tom.sullivan@umich.edu, or by telephone at (734) 936-2532. Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script that reads 'Tom Sullivan'.

Tom Sullivan
Training & Apprenticeship Coordinator

UNIVERSITY OF MICHIGAN FACILITIES MAINTENANCE
326 EAST HOOVER
ANN ARBOR, MICHIGAN 48109